

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESSIE SAENZ-VALDEZ and,
AUGUSTINE M. GARCIA,

Defendants.

8:14CR391

ORDER

This matter is before the court on the motion for an extension of time by defendant Jessie Saenz-Valdez (Saenz-Valdez) (Filing No. 30). Saenz-Valdez seeks an additional ninety days in which to file pretrial motions in accordance with the progression order. Saenz-Valdez has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 34). Upon consideration, the motion will be granted. **The deadline for filing pretrial motions will be extended as to both defendants.**

IT IS ORDERED:

Defendant Saenz-Valdez's motion for an extension of time (Filing No. 30) is granted. **Both defendants** are given until **on or before March 23, 2015**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., **the time between December 23, 2014, and March 23, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 23rd day of December, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge